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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.971 OF 2006
IN
INCOME TAX APPEAL (LOD) NO.71 OF 2006

The Commissioner of Income Tax ..Appellant.

V/s.

Mrs.Rajashree B. Khandar ..Respondent.

Mr.A.S. Rao for appellant.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 17TH SEPTEMBER, 2007.

P.C. :-

There is a delay of 351 days in filing the appeal. There is affidavit in support of motion. It appears that the file was sent to the Ministry of Law on 13/1/2005. The due date for filing the appeal was 2/2/2005. The Ministry of Law returned the file on 30/10/2005. The matter was thereafter sent to the Panel of counsel and the draft appeal memo was received on 30/11/2005. Thereafter, it appears that Court fees stamp was obtained and the appeal was filed on 17/1/2006. Considering the above, in our opinion, the cause shown would amount to sufficient cause. Delay is condoned. Motion is made absolute in terms of prayer clause (a). Office to register the appeal.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**